

REMARKS

The Examiner has objected to the specification and the declaration. In response to the Examiner's comments, the specification has been amended to delete the incorporation by reference language. Additionally, a copy of the properly identified and executed declaration, which was filed in the U.S. Patent and Trademark Office on December 28, 2001, along with a date-stamped mailroom receipt evidencing the filing of the declaration on December 28, 2001, are enclosed for the Examiner's convenience. Thus, it is requested that the Examiner withdraw the objections to the specification and the declaration.

The Examiner has rejected claims 4, 5, 10, 11, 16, 17, 22, and 23 under 35 U.S.C. §112, second paragraph as being indefinite. Each of those claims has been amended to address the Examiner's concerns. Thus, it is requested that the Examiner withdraw the §'112 rejections.

The Examiner rejected claims 1 - 3, 7 - 9, 13 - 15, and 19 - 21 under 35 U.S.C. 102(e) as being anticipated by OHNUMA et al. The Examiner rejected claims 4, 5, 10, 11, 16, 17, 22, and 23 under 35 U.S.C. 103(a) as being unpatentable over OHNUMA et al. in view of KONDO et al. The Examiner rejected claims 6, 12, 18, and 24 under 35 U.S.C. 103(a) as being unpatentable over OHNUMA et al. Applicants respectfully traverse.

In response to the rejections, independent claims 1, 7, 13, and 19 have been amended to emphasize that the parameter is changed by different amounts when the enemy is defeated,

based upon how soundly the enemy was defeated. That is, multiple courses of action can occur when defeating an enemy. None of the references of record disclose or suggest such a feature.

Consequently, it is requested that the Examiner withdraw the rejections of the independent claims.

Dependent claims 2 - 6, 8 - 12, 14 - 18, and 20 - 23, are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations. For example, claims 3, 9, 15, and 21 define the parameter as the number of items acquired by the player so that when the enemy is killed by a low amount of damage, the number of items obtained is fewer than if the enemy is killed by a larger amount of damage. OHNUMA et al.'s parameter is described at column 15, line 67 - column line 30. The parameter relates to damage points of the monster, graphics and sound effects, and vibration effects. The parameter is unrelated to the number of stored items assigned to a player. Moreover, the parameter does not change by an amount that is based upon how much the enemy was killed by. Accordingly, applicants respectfully request reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

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The above amendments have been presented merely for the purpose of clarification, and not to overcome the applied prior art. Accordingly, no estoppel is deemed to result from any of the present amendments.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Toshiro TSUCHIDA et al.

Will E. Lynde Reg. No.
Bruce H. Bernstein 43568
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191